UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/139,023	08/24/1998	KAZUNARI TAKI	101412	4835

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EXAMINER
POKRZYWA, JOSEPH R

ART UNIT	PAPER NUMBER
2622	

DATE MAILED: 12/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
	09/139,023	TAKI ET AL.
Office Action Summary	Examiner	Art Unit	
	Joseph R. Pokrzywa	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>22 September 2003</u>.

2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-29</u> is/are pending in the application.

    4a) Of the above claim(s) <u>16-20 and 22</u> is/are withdrawn from consideration.

5) ☒ Claim(s) <u>21</u> is/are allowed.

6) ☒ Claim(s) <u>1-15 and 23-29</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

    a) ☐ The translation of the foreign language provisional application has been received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.

4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Response to Amendment

1.   Applicant's amendment was received on 9/22/03, and has been entered and made of

record. Currently, **claims 1-29** are pending, with **claims 16-20, and 22** withdrawn from

consideration as being drawn to a non-elected invention.

Response to Arguments

2.   Applicant's arguments with respect to **claims 1, and 23-25** have been considered but are

moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4.   **Claims 1, 4-15, and 23-29** are rejected under 35 U.S.C. 102(b) as being anticipated by

Ogata *et al.* (U.S. Patent Number 4,827,349).

Regarding *claim 1*, Ogata discloses a document information communicating system

comprising a sending apparatus (see abstract and Fig. 1) for sending document information

which is divided into a plurality of pages (column 5, line 24 through column 6, line 56), and a

receiving apparatus (see Figs. 5, and 14A-14C) for receiving the document information and

displaying the received document information (column 11, line 25 through column 12, line 40).

Further, Ogata teaches that the sending apparatus comprises a dividing device (CPU 27)

for dividing each page of the document information into a plurality of blocks (see Fig. 7, column

4, lines 20 through 25), a converting device for converting the plurality of blocks into

transmission data by adding header information to each of the blocks (column 4, lines 20 through

33), the header information includes page information (see Fig. 12A, column 4, lines 28 through

31), a sending device for sending the transmission data (communication control unit 30), and a

sending control device for controlling the sending device so as to repeatedly send transmission

data corresponding to a different block included in a specific page (see Fig. 3, steps S3-S5,

column 5, line 24 through column 6, line 7), changing the specific page each time one unit of

transmission data is sent (column 5, lines 64 through column 6, line 35, wherein for a class 1

terminal, image data blocks are transmitted one page at a time, and each block is printed on one

page, thereby changing the specific page each time the transmission data was sent).

Further, Ogata teaches that the receiving apparatus comprises a referring device for

referring to page information corresponding to the document information (column 4, lines 20

through 56, and column 7, lines 21 through 52) by checking page information in header

information of transmission data of the received document information each time the document

information receiving apparatus receives document information (column 4, lines 20 through 56,

column 7, lines 21 through 52, and column 11, lines 25 through 46), a receiving device, when the

referring device recognizes that one page of the document information should be received, for

receiving the one page of the document information (column 4, lines 20 through 56, and column

11, line 47 through column 12, line 40), a display device having a display panel (CRT 60), a size

of the display panel corresponding to a size of one page of the document information (column 4,

lines 20 through 23), and a display control device for displaying the received one page of the

document information on the display panel (column 4, lines 20 through 56, and column 11, line

47 through column 12, line 40).

Regarding *claim 4*, Ogata discloses the system discussed above in claim 1, and further

teaches that the sending apparatus comprises a dividing device (CPU 27) for dividing each page

of the document information into a plurality of blocks (see Fig. 7, column 4, lines 20 through

25), a sending device (communication control unit 30) for sending the plurality of blocks

(column 3, line 31 through column 4, line 17), and a sending control device for controlling the

sending device so as to repeatedly send a different block included in a specific page (see Fig. 3,

steps S3-S5, column 5, line 24 through column 6, line 7), changing the specific page each time

the one block is sent (column 5, lines 64 through column 6, line 35, wherein for a class 1

terminal, image data blocks are transmitted one page at a time, and each block is printed on one

page, thereby changing the specific page each time the transmission data was sent).

Regarding *claim 5*, Ogata discloses the system discussed above in claim 1, and further

teaches that the sending apparatus comprises a dividing device for dividing each page of the

document information into a plurality of blocks (see Fig. 7, column 4, lines 20 through 25), and a

sending device for sending the plurality of blocks in a discontinuous order (column 6, lines 49

through 56, wherein error blocks or error pages are retransmitted, thereby showing that the

transmission data is in a discontinuous order).

Regarding *claim 6*, Ogata discloses the system discussed above in claim 1, and further

teaches that if the document information is formed by a plurality of characters (column 1, lines

34 through 45, and column 4, lines 20 through 56, see Fig. 7), the sending apparatus sends the

plurality of characters in discontinuous order (column 6, lines 49 through 56, wherein error

blocks or error pages are retransmitted, thereby showing that the transmission data is in a

discontinuous order).

Regarding *claim 7*, Ogata discloses the system discussed above in claim 1, and further

teaches that the display control device comprises a memory device (VRAM 26) having a

minimum memory capacity enough to store one page of the document information and additional

information necessary for displaying the document information display panel (column 3, lines 64

through 66, column4, lines 41 through 56, and column 11, lines 41 through 46).

Regarding *claim 8*, Ogata discloses the system discussed above in claim 1, and further

teaches that the size of the display panel corresponds to a size of one page of the document

information (column 4, lines 20 through 23).

Regarding *claim 9*, Ogata discloses the system discussed above in claim 1, and further

teaches that the receiving apparatus includes an error determining device for determining

whether or not the document information received by the receiving device includes an error

(column 6, lines 49 through 56, and column 7, lines 21 through 52), and a reception control

device for controlling the receiving device so as to repeatedly receive the selected page of the

document information (see Fig. 5), if the error determining device determines that he document

information received by the receiving device includes an error (column 6, lines 49 through 56,

and column 7, lines 21 through 52).

Regarding *claim 10*, Ogata discloses the system discussed above in claim 1, and further

teaches that the receiving apparatus comprises a converting device for converting the document

information formed by a plurality of characters into the document information formed by bitmap

data (column 3, lines 31 through 66, and column 11, lines 25 through 46).

Regarding *claim 11*, Ogata discloses the system discussed above in claim 1, and further

teaches that the receiving apparatus comprises a power control device for powering down the

receiving device after reception of the document information (column 8, lines 1 through 20), and

periodically powering up the receiving device to check whether or not the document information

sent from the sending apparatus is changed (column 7, lines 56 through column 8, line 9).

Regarding *claim 12*, Ogata discloses the system discussed above in claim 1, and further

teaches that the sending apparatus comprises a document information removing device for

sending insignificant data to the receiving apparatus in order to remove the document

information that was previously sent to the receiving apparatus (column 6, lines 8 through 48,

and column 8, lines 21 through 49).

Regarding *claim 13*, Ogata discloses the system discussed above in claim 12, and further

teaches that the insignificant data is a group of blank data (column 8, lines 39 through 49).

Regarding *claim 14*, Ogata discloses the system discussed above in claim 1, and further

teaches that the receiving apparatus comprises a communication determining device for

determining whether or not maintaining communication between the sending apparatus and the

receiving apparatus is possible (column 8, line 53 through column9, line 11), and a removing

device for removing the document information that was previously received from the sending

apparatus (column 8, line 61 through column 9, line 5), unless the communication determining

device determines that maintaining the communication is possible (column 9, lines 6 through

11).

Regarding *claim 15*, Ogata discloses the system discussed above in claim 14, and further

teaches that the communication determining device determines whether or not intensity of a

communication signal which carries the document information from the sending apparatus to the

receiving apparatus is more than a predetermined intensity (column 9, line 66 through column

10, line 68).

Regarding *claim 23*, Ogata discloses a document information sending apparatus (see

abstract and Fig. 1) for sending document information which is divided into a plurality of pages

(column 5, line 24 through column 6, line 56), the document information sending apparatus

comprising a dividing device (CPU 27) for dividing each page of the document information into

a plurality of blocks (see Fig. 7, column 4, lines 20 through 25), a converting device for

converting the plurality of blocks into transmission data by adding header information to each of

the blocks (column 4, lines 20 through 33), the header information includes page information

(see Fig. 12A, column 4, lines 28 through 31), and a sending device (communication control unit

30) for sending the transmission data in discontinuous order (column 6, lines 49 through 56,

wherein error blocks or error pages are retransmitted, thereby showing that the transmission data

is in a discontinuous order).

Regarding *claim 24*, Ogata discloses a document information sending apparatus (see

abstract and Fig. 1) for sending document information which is divided into a plurality of pages

(column 5, line 24 through column 6, line 56), the document information sending apparatus

comprising a dividing device (CPU 27) for dividing each page of the document information into

a plurality of blocks (see Fig. 7, column 4, lines 20 through 25), a converting device for

converting the plurality of blocks into transmission data by adding header information to each of

the blocks (column 4, lines 20 through 33), the header information includes page information

(see Fig. 12A, column 4, lines 28 through 31), a sending device for sending the transmission data

(communication control unit 30), and a sending control device for controlling the sending device

so as to repeatedly send transmission data corresponding to a different block included in a

specific page (see Fig. 3, steps S3-S5, column 5, line 24 through column 6, line 7), changing the

specific page each time one unit of transmission data is sent (column 5, lines 64 through column

6, line 35, wherein for a class 1 terminal, image data blocks are transmitted one page at a time,

and each block is printed on one page, thereby changing the specific page each time the

transmission data was sent).

Regarding *claim 25*, Ogata discloses a document information receiving apparatus (see

Figs. 5, and 14A-14C) for receiving document information which is divided into a plurality of

pages and displaying the received document information (column 11, line 25 through column 12,

line 40), the document information receiving apparatus comprising a referring device for

referring to page information corresponding to the document information (column 4, lines 20

through 56, and column 7, lines 21 through 52) by checking page information in header

information of transmission data of the received document information each time the document

information receiving apparatus receives document information (column 4, lines 20 through 56,

column 7, lines 21 through 52, and column 11, lines 25 through 46), a receiving device, when the

referring device recognizes that one page of the document information should be received, for

receiving the one page of the document information (column 4, lines 20 through 56, and column

11, line 47 through column 12, line 40), a display device having a display panel (CRT 60), a size

of the display panel corresponding to a size of one page of the document information (column 4,

lines 20 through 23), and a display control device for displaying the received one page of the

document information on the display panel (column 4, lines 20 through 56, and column 11, line

47 through column 12, line 40).

Regarding *claim 26*, Ogata discloses the apparatus discussed above in claim 25, and

further teaches that the display control device comprises a memory device (VRAM 26) having a

memory capacity enough to store one page of the document information and additional

information necessary for displaying the one page of the document information on the display

panel (column 3, lines 64 through 66, column4, lines 41 through 56, and column 11, lines 41

through 46).

Regarding *claim 27*, Ogata discloses the apparatus discussed above in claim 25, and

further teaches of a power control device for powering down the receiving device after reception

of the document information (column 8, lines 1 through 20), and periodically powering up the

receiving device to check whether or not the document information sent from the sending

apparatus is changed (column 7, lines 56 through column 8, line 9).

Regarding *claim 28*, Ogata discloses the system discussed above in claim 1, and further

teaches that the sending apparatus further comprises a dividing device for dividing each page of

the document information into a plurality of blocks (see Figs. 7 and 12A), and a sending device

for sending the plurality of blocks (column 3, lines 13 through 33), wherein each block includes

a header block and a document information area block (see Fig. 12A), and the referring device

refers to page information included in the header block (column 4, lines 20 through 56, column

7, lines 21 through 52, and column 11, lines 25 through 46), and recognizes whether the page of

the document information should be received (column 4, lines 20 through 56, and column 11,

line 47 through column 12, line 40).

Regarding *claim 29*, Ogata discloses the apparatus discussed above in claim 25, and

further teaches that each block of the document information divided into a plurality of pages

includes a header block and a document information area block (see Fig. 12A), and the referring

device refers to page information included in the header block (column 4, lines 20 through 56,

column 7, lines 21 through 52, and column 11, lines 25 through 46), and recognizes whether the

page of the document information should be received (column 4, lines 20 through 56, and

column 11, line 47 through column 12, line 40).

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

6.   **Claims 2 and 3** are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogata *et*

al. (U.S. Patent Number 4,827,349).

Regarding *claim 2*, Ogata discloses the system discussed above in claim 1, and further

teaches that the sending apparatus sends the document information formed by a plurality of

characters (column 3, lines 31 through 63), and the sending apparatus comprises a dividing

device for dividing each page of the document information into a plurality of blocks (column 4,

lines 20 trough 56), and a sending device for sending the plurality of blocks (column 5, lines 19

through 50). However, Ogata is unclear if the number of the characters included in each block

being not more than the number of the characters included in one line of each page of the

document information. But Ogata does teach that the system determines the size of each block,

wherein each block can correspond to a data quantity, and a position on a page (column 4, lines

20 through 56). Because of this, it would have been obvious to a person of ordinary skill in the

art at the time the invention was made to interpret the size or length of the object as the number

of the characters included in each block being not more than the number of the characters

included in one line of each page of the document information. By following this practice,

Ogata's system would create a more efficient system, as users would be allowed to select and

download certain lines of the document.

Regarding *claim 3*, Ogata discloses the system discussed above in claim 1, and further

teaches that the sending apparatus sends the document information formed by bitmap data

(column 3, lines 31 through 63), and the sending apparatus comprises a dividing device for

dividing each page of the document information into a plurality of blocks (column 4, lines 20

trough 56), and a sending device for sending the plurality of blocks (column 5, lines 19 through

50). However, Ogata is unclear if the amount of the bitmap data included in each block being

integral number times as much as the amount of the bitmap data included in one line element of

each page of the document information. But Ogata does teach that the system determines the size

of each block, wherein each block can correspond to a data quantity, and a position on a page

(column 4, lines 20 through 56). Because of this, it would have been obvious to a person of

ordinary skill in the art at the time the invention was made to interpret the size or length of the

object as the amount of the bitmap data included in each block being integral number times as much as the amount of the bitmap data included in one line element of each page of the document information the amount of the bitmap data included in each block being integral number times as much as the amount of the bitmap data included in one line element of each page of the document information. By following this practice, Ogata's system would create a more efficient system, as users would be allowed to select and download certain lines of the document.

Allowable Subject Matter

7.   **Claim 21** is allowed.

8.   The following is a statement of reasons for the indication of allowable subject matter:

Regarding *claim 21*, in the examiner's opinion, it would not have been obvious to have a system, as claimed, include a sending apparatus comprising a spreading device for spreading the communication signal by using a spreading sequence and a receiving apparatus comprising an inputting device for inputting a password, a spreading sequence generating device for generating the spreading sequence by using the input password, a dispreading device for dispreading the received communication signal by using the spreading sequence and an extracting device for extracting the document information from the dispreading communication signal.

Citation of Pertinent Prior Art

9.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure:

Orlen (U.S. Patent Number 5,459,482) discloses a system that transmits a facsimile

image as sections.

Conclusion

10.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
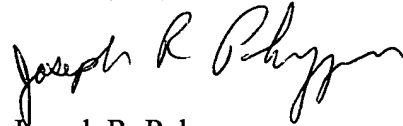
A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

11.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Joe Pokrzywa whose telephone number is (703) 305-0146. The

examiner can normally be reached on Monday-Friday, 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Edward L. Coles can be reached on (703) 305-4712. The fax phone number for the

organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703) 306-0377.

Joseph R. Pokrzywa
Examiner
Art Unit 2622

jrp

EDWARD COLES
SUPERVISORY PATENT EXAMINER
T.   CENTER 2600